

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34825 of 2020

Arising Out of PS. Case No.-168 Year-2020 Thana- LAKHNAUR District- Madhubani

1. Sunil Kumar, Son of Late Jagdev Mahto, Resident of Village- Madhura, Ward No. 12, P.S.- Lakhnour (R.S.O.P.), District- Madhubani
2. Rekha Devi, Wife of Sunil Kumar, Resident of Village- Madhura, Ward No. 12, P.S.- Lakhnour (R.S.O.P.), District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Advocate.

For the Opposite Party/s : Mr. A.M.P. Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 26-03-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Lakhnour (R.S.O.P) P.S. Case No. 168 of 2020, registered under Sections 341, 323, 325, 308, 379, 354(B), 504, 506 and 427/34 of the Indian Penal Code.

The accusation is that due to land dispute, in the early evening of 12.07.2020, both petitioners along with their



sons, namely, Prabhakar Kumar and Bibhakar Kumar came at the land of the informant, Indradeo Mahto, which was purchased by him and started to remove the bamboo from the said land. When the informant made protest then all chased him having dabiya, axe and iron rod in their hand till near his door. At that time, Sunil Kumar (petitioner no.1) gave dabiya blow causing injury at his head and Rekha Devi (petitioner no.2) also caused injury through axe at the back side of his head. When his daughter-in-law, Kiran Devi, reached there then they tore her Sari and Rekha Devi (petitioner no.2) also snatched her ear ring.

Learned counsel for the petitioners submits that due to land dispute, occurrence took place, in which, petitioner no. 1 also sustained injury, regarding which, Lakhnour (R.S.O.P.) P.S. Case No. 169 of 2020 is instituted on 13.07.2020 on the basis of Fradbeyan of petitioner no.1. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM,



Jhanjharpur, Madhubani, in connection with Lakhnour
(R.S.O.P.) P.S. Case No. 168 of 2020, subject to the condition as
laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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